

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 19, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, February 19, 1969 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen- BROWN, CULBERTSON (8:05 p.m.)
KIRSTEN, SCHAFFER and HUNNELL (Mayor)
Also present: City Manager Graves, Assistant City Manager
Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE Mayor Hunnell led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Schaffer, Brown second, the Minutes of February 5, 1969 were approved as written and mailed.

PUBLIC HEARINGS

REZONE POR Notice thereof having been published in accordance with law,
LOTS 26 & 45 Mayor Hunnell called for the public hearing on the proposal of
WINDSOR TRACT the Planning Commission to rezone a portion of Lots 26 and #5,
Windsor Tract, from the R-3, Limited Multiple-Family Residential
District to the C-P, Commercial-Professional District. Planning
ORD.NO. 887 Director Schroeder introduced the matter showing a drawing of the
INTRODUCED area under discussion.

Attorney Gene G. Walton, 313 West Pine Street, representing
Mr. and Mrs. John Sibole of 930 Windsor Drive and other residents
in the area, spoke against the proposed rezoning. ~~Attorney Walton~~
stated that the proposed rezoning. Attorney Walton stated that the
proposed rezoning of the property to the C-P District would be
encroaching into a residential area with a "hard core" business and
he urged the Council to deny the C-P zoning.

Other persons speaking in opposition to the proposal were as follows:

Mr. Clarence Wermers, 931 York Street
Mr. John Sibole, 930 Windsor Drive
Mrs. Emma Franklin, 920 Windsor Drive
Mr. Lloyd Rogers, 811 Windsor Drive
Mr. Jakob Horst, 320 Windsor Drive
Mr. James Huber, 330 Windsor Drive
Mr. Richard Wilcox, 1007 South Orange Avenue
Mrs. Mable Caywood, 921 Windsor Drive

Attorney Walton requested that two petitions signed by residents of the area be read. City Attorney Mullen advised that the petitions should not be read but rather it should be noted that the petitions were received by the Planning Commission. Planning Director Schroeder verified the City Planning Commission had received two petitions signed by 57 residents of the area opposing the proposed rezoning.

Dr. Walter E. Reiss, 1121 West Vine Street, co-owner of the Fairmont Rehabilitation Hospital property proposed for the rezoning, spoke in favor of the proposed rezoning stating that the property is presently being utilized as a parking lot and he felt it should be rezoned to the proper zoning, and that being the C-P. District. There being no others wishing to speak on the matter, the public portion of the hearing was closed.

Minutes of February 19, 1969 continued

Councilman Schaffer stated he wished to abstain from the discussion and voting on the matter because of a possible conflict of interest.

The Council discussed the problem of parking in the area and it was determined that if the doctors wish to enlarge the Rehabilitation Hospital it will be necessary to obtain parking area either north or south of the present facilities. Councilman Kirsten asked Planning Director Schroeder what was the basis for the Planning Commission's recommendation that this parcel be rezoned to the C-P District. Planning Director Schroeder gave the background of the rezoning and stated that the Planning Commission felt the present property owners should be able to use the two lots for their present and future needs. He indicated that the area should be zoned either C-P or R-1 as any other zoning would be spot zoning. Attorney Mullen pointed out that R-1 zoning would make the parking lot on the property a non-conforming use. Councilman Culbertson felt the best zoning for the area would be R-GA. After further discussion, Councilman Kirsten moved the introduction of Ordinance No. 887 rezoning a portion of Lots 26 and 45, Windsor Tract, to be in C-P, Commercial-Professional Office District. The motion was seconded by Councilman Brown and carried by the following vote:

Ayes: Councilmen - BROWN, HUNNELL and KIRSTEN
 Notes: Councilmen - CULBERTSON
 Abstain: Councilmen - SCHAFFER

REZONE 1011,
 1115 W. LODI AVE.,
 233 S. FAIRMONT &
 233 S. ORANGE AVE.

ORD. NO. 888
 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal of the Planning Commission to rezone parcels located at 1011 and 1115 West Lodi Avenue, 233 South Fairmont Avenue and 233 South Orange Avenue from the R-3, Limited Multiple-Family Residential District to the R-2, Single-Family Residential District. There was no one in the audience who wished to be heard on the matter and the public portion of the hearing was closed. Councilman Brown then moved introduction of Ordinance No. 888 rezoning the above parcels to the R-2, Single-Family Residential District. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

REZONE LOTS
 1-9, CHEROKEE
 GARDENS

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal of the Planning Commission to rezone Lots 1 through 9, as shown on the Revised Tentative Map of Cherokee Gardens Subdivision from the R-2, Single-Family Residential District to the R-MD, Medium Density Multiple-Family Residential District.

Planning Director Schroeder introduced the matter, showing a drawing of the area proposed to be rezoned. Councilman Schaffer stated he wished to abstain from the discussion and voting on the matter because of a possible conflict of interest.

Mr. Victor Meyer, 41 South Sacramento Street, representing the developers of the Cherokee Gardens Subdivision, spoke in favor of the proposed rezoning. Residents of the Walnut Orchard Tract spoke against the rezoning stating they felt if the proposed zoning were adopted, thereby increasing the density, this would create

Minutes of February 19, 1969 continued

further traffic problems in the area.

Persons speaking against the rezoning were as follows:

Mr. and Mrs. Ed Heil, 1119 Woodrow Street
 Mr. Gerald Doud, 1021 Woodrow Street
 Arthur Wacker, 736 South Cherokee Lane
 Mrs. Lorina Nantt, 710 Delores Street
 Mr. and Mrs. Vencyl Tuma, 1020 Woodrow Street
 Mr. and Mrs. Wilfred Cooper, 1012 Woodrow Street
 Mr. and Mrs. Ronald Edgeton, 700 Delores Street
 Mr. Calvin Suttentfield, 1028 Woodrow Street
 Mrs. Beulah Tonn, 1030 Lloyd Street

There being no others wishing to speak on the matter, the public portion of the hearing was closed.

After Council discussion, Councilman Culbertson moved the matter be referred back to the Planning Commission for study of the possibility of rezoning the area to R-GA rather than the proposed R-MD. The motion was seconded by Mayor Hunnell and carried with Councilman Schaffer abstaining. The public hearing was continued to the meeting of March 5, 1969.

RECESS

At 9:55 p.m. the Mayor declared a five-minute recess.

REZONE POR
 SE COR N.
 HAM & W.
 LOCKEFORD

ORD. NO. 889
 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal of the Planning Commission to rezone a portion of the southeast corner of North Ham Lane and West Lockeford Street from the R-2, Single-Family Residential District to the R-GA, Garden Apartment Residential District. Mr. Victor Meyer, 41 South Sacramento Street, representing Don Morita, spoke in favor of the recommended rezoning. There was no one else in the audience who wished to speak on the matter and the public portion of the hearing was closed. On motion of Councilman Kirsten, Schaffer second, the Council introduced Ordinance No. 889 rezoning that area bounded by West Lockeford Street on the north; Lots 1 - 6 of the Cainard Subdivision on the east; Lot 4 and the easterly 45 feet of Lot 3 of the Fairmont Park Subdivision on the south and a line 215' east of the centerline of North Ham Lane on the west to be in the R-GA District.

ELIMINATE
 R-3 & R-4
 DISTRICTS

ORD. NO. 890
 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing to consider the elimination of the R-3 and R-4 Multiple-Family Districts from the Zoning Ordinance as recommended by the City Planning Commission. This recommendation came from the Planning Commission as a result of all of the multiple-family residential areas of the City being rezoned into one of the new multiple-family districts. On motion of Councilman Schaffer, Kirsten second, the City Council by unanimous vote introduced Ordinance No. 890 amending the Zoning Ordinance to eliminate provisions for R-3 and R-4 Districts.

McDANIEL
 INDUSTRIAL
 PARK

Mr. Victor Meyer, 41 South Sacramento Street, requested the discussion regarding the development of McDaniel Industrial Park be continued until after the public hearing to be held March 18, 1969 concerning the grade separation on Kettleman Lane. The Council concurred with the request.

Minutes of February 19, 1969 continued

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of February 10, 1969:

REZONE 1381 W. LOCKEFORD STREET

The Planning Commission recommended a change in zoning for an existing "spot zone" on a parcel located at 1381 West Lockeford Street from the C-P, Commercial-Professional District to the C-1, Neighborhood-Commercial District. On motion of Councilman Brown, Kirsten second, the matter was set for public hearing on March 5, 1969.

REZONE 800-826 N. MILLS & 1930 HOLLY

The Planning Commission recommended a change in zoning for an existing "spot zone" on parcels located at 800-826 North Mills Avenue and 1930 Holly Drive from the C-2, General-Commercial District to the R-2, Single-Family Residential District. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on March 5, 1969.

OF INTEREST

Other actions of interest to the City Council were reported as follows:

1. Denied the request of Mr. Ted Schneider, Sr. for a change in zoning for Lots 5 - 12 and 38 - 46 of the Pioneer Subdivision from the R-2, Single-Family Residential District to the R-HD, High Density Multiple-Family Residential District.
2. Approved the request of the Temple Baptist Church by Mr. William Hildenbrand for a variance to permit the erection of a church identification sign in a required 10-foot setback area at the northwest corner of West Pine Street and South Crescent Street in an area zoned R-2, Single-Family Residential. In approving this variance the Planning Commission determined that a zoning hardship existed.
3. Denied the request of the First Southern Baptist Church by Mr. William J. Tillett for a variance to permit the installation of a church identification sign of 48-square feet (i.e., 4 feet by 6 feet, double-faced) where a maximum size of 20-square feet is permitted in an area zoned R-1, Single-Family Residential.

COMMUNICATIONS

DIV. OF HIGHWAYS

A letter from the State Division of Highways was read giving notice of public hearing to be held Tuesday, March 18, 1969 for the purpose of considering the widening and the construction of Route 12 from Ham Lane to Cherokee Lane, which includes the separation of the Southern Pacific Railroad.

LEGISLATION - SENATE BILL 4

A letter was read from the City Council of the City of Long Beach urging support of Senate Bill 4. City Manager Graves recommended no action at this time. The Council requested the Manager to report back on the matter after evaluation of the Senate Bill.

BUS LOADING ZONE - LUSD

A letter was read from Mr. James Areida, Business Manager for Lodi Unified School District, requesting a change of bus loading zone for the East Campus from the present Walnut Street to 235 feet on Oak Street. A drawing of the proposed plan was attached. The matter was referred to the staff for study and recommendation.

Minutes of February 19, 1969 continued

UNION

A letter was read from Local Union 1245 of the International Brotherhood of Electrical Workers requesting notification and opportunity to meet and consult over the preparation of an ordinance relating to employer-employee relations. The Union also requested formal acknowledgement as a recognized employee organization by the City. City Manager Graves stated that the City staff is presently reviewing a proposed ordinance covering employer-employee relations and Local 1245 of IBEW as well as other representatives of the City employees will be consulted prior to adoption of the ordinance. He explained that recognition of the Union as an employee organization by the City should await adoption of the ordinance. The Council directed the City Manager to reply to the letter, informing the Union it will be consulted regarding the ordinance and recognition of the Union as an employee organization by the City will await the adoption of said ordinance.

SISTER-CITY
PROJECT

The Mayor presented a letter received from Mr. Dave Urner, Chairman of the Bakersfield Sister-City Project, suggesting that cities of California which have affiliations with cities in Japan arrange a tour to coincide with the World Exposition to be held in Japan in 1970. The Council referred the matter to the City's Sister-City Committee.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$288,531.54 were approved on motion of Councilman Culbertson, Schaffer second.

VINE STREET
EXTENSION

At its meeting of February 5, 1969 the Council requested additional information on the proposed extension of Vine Street. Initially, the Planning Commission approved a revised tentative map of the Cherokee Gardens Subdivision conditioned on the map being modified to reflect the necessary right of way for the extension of Vine Street as determined by the City Engineer and recommended to the Council that the right of way be acquired within two years. City Manager Graves presented a drawing of the existing Vine Street right of way from Hutchins Street to Cluff Avenue, and one of the tentative map proposed by the developer showing the right of way necessary for future overcrossing of the Freeway. He referred the Council to the "Report on Major Streets and Traffic Improvements" prepared by Dr. D. Jackson Faustman which recommends that Vine Street be extended easterly and westerly to create a cross-town thoroughfare to relieve pressure on Lodi Avenue and Kettleman Lane. The Council then discussed the problems involved with the proposed widening and extension of Vine Street and determined they were unable at this time to recommend the extension of the street. On motion of Councilman Brown, Kirsten second, the matter was tabled. Councilman Schaffer abstained from discussion and voting on the matter because of a possible conflict of interest.

Planning Director Schroeder questioned the Council as to how it wished the Planning Department to proceed with the proposed Cherokee Gardens Subdivision, as the Planning Commission had stated that in the event the City Council determined that the East Vine Street right of way was not necessary, the Revised Tentative Map of the Cherokee Gardens Subdivision would be approved as submitted. The Council agreed the subdivision should be approved as submitted without the street.

Minutes of February 19, 1969 continued

TRAFFIC
REPORT

Councilman Culbertson questioned when the Council could expect to receive the report the Planning Commission is preparing on the Traffic Report of Dr. Faustman. Planning Director Schroeder explained that some preliminary work had been done but, because of the time involved in the rezoning of the entire City, and the staff time being limited, the report had not as yet been completed. Mayor Hunnell requested a report from the Planning Commission on the matter at the meeting of May 7, 1969.

PLANS & SPECS
KOFU PARK BLDG.

Mr. Arlie D. Preszler, architect for the recreation building at Kofu Park, presented plans and specifications for the building. The plans submitted by Mr. Preszler called for one dressing room and the Council was of the opinion that there should be two dressing rooms; therefore, the approval of the plans and specifications was delayed and the matter referred to the City Manager and the Parks and Recreation Director for study and recommendation.

LAWRENCE
PARK
CONCESSIONS

City Manager Graves reported that Dario DeBenedetti, General Manager for the Lodi Baseball Club, had requested the Club be given the contract for the concessions at Lawrence Park Baseball Stadium. The City's concession contract with Mr. Raymond Bennett expired September 1, 1968. After discussion, Councilman Kirsten moved the Lodi Baseball Club be awarded the above contract and the Mayor be authorized to sign same on behalf of the City. The motion was seconded by Councilman Schaffer. Under the question, it was determined that the contract had not yet been signed by the Lodi Baseball Club for use of the Baseball Stadium for the current season, and the concession contract should not be awarded prior to the signing of the contract for the use of the Baseball Stadium. Councilman Kirsten then withdrew the motion and Councilman Schaffer withdrew the second. The Council then concluded that the concession contract could be incorporated in the contract for the use of the Baseball Stadium and would be negotiated at a later date.

AWARD - POLICE
STATION WAGON

Bids were received for a station wagon for the Police Department as follows:

RES. NO. 3242	Loewen Auto Company	\$1,420.00
	Mitchell Chrysler-Plymouth	1,988.89
	Gewecke Ford	2,072.83

The City Manager recommended the award be made to the low bidder. On motion of Councilman Schaffer, Kirsten second, the Council adopted Resolution No. 3242 awarding the contract for the furnishing of a station wagon for the Police Department to Loewen Auto Company for the amount of the bid.

AWARD - CURB,
GUTTER & SIDEWALK

Bids were received for the Oxford Way curb, gutter and sidewalk construction as follows:

RES. NO. 3243	M & S Cement Contractor	\$3,264.50
	William Burkhardt	3,340.50

City Manager Graves recommended award be made to the low bidder. On motion of Councilman Kirsten, Schaffer second, the

Minutes of February 19, 1969 continued

Council adopted Resolution No. 3243 awarding the contract of the Oxford Way curb, gutter and sidewalk construction to the low bidder, M & S Cement Contractor for \$3,264.50.

AWARD -
ELECTRICAL
EQUIPMENT

Bids were also received for the Capacitors, Racks and Power Factor Metering Equipment for the Utilities Department as follows:

RES. NO. 3244	<u>Racks & Capacitors</u>	<u>Metering Equip.</u>
Sangamo Electric Co.	\$2,698.50	No bid
McGraw-Edison	3,208.10	No bid
Federal Pacific Electric	3,208.40	No bid
General Electric Supply	3,239.25	\$1,650.00

The City Manager recommended the contract for the Racks and Capacitors be awarded to Sangamo Electric Company and the contract for the Metering Equipment be awarded to General Electric Supply Company. On motion of Councilman Kirsten, Schaffer second, the City Council adopted Resolution No. 3244 awarding the contracts to the low bidders as recommended.

SPECS -
ASBESTOS
CEMENT PIPE

The City Manager presented specifications for asbestos cement pipe for the Public Works Department. On motion of Councilman Kirsten, Culbertson second, the Council unanimously approved the specifications and authorized calling for bids thereon.

SALE OF
BONDS

Mr. Graves reported that Mr. M. H. Davison of Stone and Youngberg, the City's financial consultants, had suggested the bid opening for the sale of sewer and drainage bonds be held in San Francisco as he felt this might create more interest in the bidding. Councilman Kirsten moved the City Manager be authorized to determine the place of the above bid opening. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

ORDINANCES

UNIFORM FIRE
CODE, 1967 REV.

ORD. NO. 884
ADOPTED

ORDINANCE NO. 884, entitled "AN ORDINANCE ADOPTING THE 'UNIFORM FIRE CODE, 1967 REVISION' PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES", having been introduced at the meeting of February 5, 1969, was brought up for passage on motion of Councilman Culbertson, Kirsten second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFFER and HUNNELL
Noes: Councilmen - None
Absent: Councilmen - None

REZONE POR
SE COR N. HAM
& W. LOCKEFORD

ORD. NO. 885
ADOPTED

ORDINANCE NO. 885, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A PORTION OF THE SOUTHEAST CORNER OF NORTH HAM LANE AND WEST LOCKEFORD STREET TO BE IN THE C-1, NEIGHBORHOOD-COMMERCIAL DISTRICT," having been introduced at the meeting of February 5, 1969, was brought up for passage on motion

Minutes of February 19, 1969, continued

of Councilman Kirsten, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFER and HUNNELL
Noes: Councilmen - None
Absent: Councilmen - None

ON-SITE FIRE
PROTECTION
REQUIREMENTS

ORD. NO. 886
ADOPTED

ORDINANCE NO. 886, entitled "AN ORDINANCE ESTABLISHING REQUIREMENTS FOR ON-SITE FIRE PROTECTION FACILITIES PRIOR TO ISSUANCE OF BUILDING PERMITS," having been introduced at the meeting of February 5, 1969, was brought up for passage on motion of Councilman Schaffer, Brown second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFER and HUNNELL
Noes: Councilmen - None
Absent: Councilmen - None

ADDENDA

Mayor Hunnell requested that Public Works Director Shelley Jones and Water and Sewer Supervisor Richard Witt report to the Council at the next meeting on water pollution control with respect to the City of Lodi.

YOUTH TO
RECREATION
COMMISSION

Mayor Hunnell requested the City Manager to investigate the possibility of appointing a youth to the Recreation Commission.

NCPA
PLANNING
COMMITTEE

Mayor Hunnell suggested that Superintendent of Utilities Royal Newman be recommended for appointment to the Northern California Power Agency Planning Committee. Councilman Schaffer moved that Mr. Newman be recommended for the appointment to the committee. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

R.C.
APPOINTMENTS

The Mayor announced that he had reappointed to the Recreation Commission Mr. Walter Katnich and Mr. Mas Okuhara and asked the Council's concurrence. On motion of Councilman Brown, Schaffer second, the Council concurred in these appointments.

DELTA
BOND ISSUE

Mayor Hunnell stated he felt it was extremely important that the Council go on record as endorsing the Delta Bond Issue. On motion of Councilman Kirsten, Schaffer second, the City Council moved to endorse the Delta Bond Issue by unanimous vote.

AUXILIARY
POLICE

Councilman Brown questioned if a study was being made regarding the suggestion of furnishing the Auxiliary Police Officers with uniforms. He also questioned the progress of the study of certain classifications which was authorized in October of last year. City Manager Graves reported that the City had

Minutes of February 19, 1969 continued

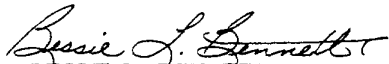
recently contracted with the State Cooperative Personnel Services for the study.

TRAFFIC-
TURNER & HAM

The traffic problem at the intersection of Turner Road and Ham Lane was discussed and the Mayor requested a report on the matter at the next meeting.

ADJOURNMENT

There being no further business, the Council adjourned at 11:45 p. m.


Attest: BESSIE L. BENNETT
City Clerk